

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ERIN ANGELO, NICHOLAS ANGELO,
and CYNTHIA WILSON,

Plaintiffs,

V.

CENTENE MANAGEMENT COMPANY,
LLC, CELTIC INSURANCE COMPANY,
SUPERIOR HEALTHPLAN, INC., and
CENTENE COMPANY OF TEXAS, L.P.,

Defendants.

1:20-CV-484-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Dustin M. Howell concerning Plaintiffs Erin Angelo, Nicholas Angelo, and Cynthia Wilson’s (collectively, “Plaintiffs”) Motion for Class Certification and Appointment of Class Representatives and Class Counsel (Dkt. 62) (R. & R., Dkt. 77). Plaintiffs timely filed objections to the report and recommendation, (Objs., Dkt. 78), and Defendants filed a response (Resp., Dkt. 79).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Plaintiffs timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiffs' objections and adopts the report and recommendation as its own order.

On May 16, 2022, the Court approved an Amended Scheduling Order that stipulated certain deadlines that would follow the Court's decision on class certification. (Dkt. 53). On July 18, 2022,

the Court issued an order mandating the parties to file a motion within 7 days of the Court's ruling on class certification in order to specify the remaining dates in the Amended Scheduling Order. (Dkt. 54). The dates left to be specified are the deadline to file summary judgment motions, the deadline to file oppositions to motions for summary judgment, and the deadline to file replies supporting summary judgment motions. (*Id.*).

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Dustin M. Howell, (Dkt. 77), is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiffs' Motion for Class Certification and Appointment of Class Representatives and Class Counsel (Dkt. 62) is **DENIED**.

IT IS FURTHER ORDERED that the parties shall file a motion to amend the scheduling order specifying the exact dates of the deadlines mentioned in the Court's Order, (Dkt. 54), on or before **October 3, 2023**.

SIGNED on September 26, 2023.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE